

ATTEMPT IS MADE TO BRIBE A JUROR

Sensation Is Caused in McNamara Case When Detectives Suddenly Spring Out Upon Men Exchanging Money on the Street.

REAL SURPRISE IS TO COME LATER

Officer Says That the "Big Smash" Will Be Made in Open Court; \$4,000 Taken From Men Quite Poor.

(By Evening Herald A. P. Leased Wire) Los Angeles, Nov. 23.—Detectives of the state attorney's office, headed by Samuel L. Brown, chief of investigation, arrested three men on a Los Angeles street corner today, charging attempted bribery in the McNamara murder trial.

The men arrested are Bert Franklin, a former United States deputy marshal, now employed by the McNamara defense; a looking up the antecedents of prospective jurors.

George N. Lockwood, a ventriloquist, summoned to appear before Judge Nordwell today for preliminary examination.

"Cap" White, a character of whom not much is known.

"I saw Franklin give Lockwood \$500, which was on his person when he was arrested," said Brown. "White had \$3,500 on his person. I saw the money pass from Franklin to Lockwood. I know that it was in connection with the McNamara case."

"I do not know anything about it," said Attorney Clarence S. Darrow, chief of counsel for the defense.

Lockwood said that the marshal had been working for his side looking up the records of men summoned in various ways here.

"I am absolutely certain that there is nothing to the present charge," he said. "I have known Franklin for years and he would not do a thing of that kind."

The two attorneys were in court listening to preliminary examinations of ventriloquists when the arrests were made. When told of the arrests they immediately left the court room.

"We're going to find out about this," said Darrow.

Another kink in the situation developed when Clerk George Monroe of Judge Nordwell's court became authority for the statement that George N. Lockwood had not been reached with a subpoena. To this deputy sheriff said they had been advised that Lockwood had been out of the county for a year and a half.

Detective Brown indicated that he expected even more dramatic developments.

"This is not the big smash," he said, "that will come in court just a little later."

seriously, believing it to be merely an instrument of persuasion by which Franklin hoped to indicate to Lockwood that he would not be alone in his task of converting the remaining jurymen to his side.

After a few minutes of conversation at the street corner Brown and a squad of detectives burst forth from their places of concealment. They timed their move to what they declare to have been the moment of actual transfer of the money.

According to Brown's story, when Franklin arrived at the place he had \$4,000 in currency. Five hundred, Brown says, he saw him give to Lockwood and the other \$3,500 he transferred to "Cap" White. Brown says White was to be stakeholder until after the trial when White was to give Lockwood the remainder. As Lockwood and White, according to Brown's story were stuffing the money into their trousers pockets, the arrests were made.

Brown charged Franklin by the shoulder and other detectives took his two associates in tow.

"Keep your hands in your pockets," Brown commanded all three prisoners as he hustled them to the top floor of the Hall of Records, where District Attorney Fredericks sat. In the presence of the district attorney all the three men were allowed to take their hands from their clothes and immediately the search disclosed \$3,500 on White's person and \$500 on Lockwood.

ONE PRECINCT IN EDDY COUNTY DID NOT EVEN HAVE AN ELECTION

Instead of Getting Down to the Work of Canvassing, the Board Is Busy Trying to Find Out What Is Missing.

SUPPLIES WERE NOT SENT IS ALLEGATION

(By Evening Herald A. P. Leased Wire) Santa Fe, N. M., Nov. 23.—The canvassing board that is canvassing the returns of the first state election although it works six hours a day, is making even slower progress than at first anticipated. To the surprise of every one, another precinct, the third thus far, has been discovered, that held no election. This precinct is in Eddy county, while the other two are in Roosevelt county. The excuse in each case is that no election supplies were received.

The returns from still other precincts appear to be missing and the board continued to be occupied today, not in actual canvassing, but in sorting out the six hundred precinct returns by counties and determining what returns are still actually out.

MISS WAHL SEEKS DIVORCE STILL

Former Wife of William Guggenheim Can Not Be Prevented from Taking Legal Steps by Court of Appeals.

(By Evening Herald A. P. Leased Wire) Albany, N. Y., Nov. 23.—The court of appeals today refused to interfere in the action for divorce instituted in Illinois by Grace H. Wahl, the former wife of William Guggenheim. The present Mrs. Guggenheim asked the court of this state to enjoin Miss Wahl from prosecuting this suit, which she contended was "harassing to her."

Soon after being taken to jail, Franklin said:

"I admit this looks somewhat bad, but a mistake has been made. I am not worrying. As soon as the district attorney makes his investigation he will see how little there is to this and I will be released."

Lockwood and White were not held by the police.

Franklin was held in jail and \$4,000 in gold certificates were stacked up on the desk of District Attorney Fredericks.

The trail of Franklin began two weeks ago. On a street corner in the heart of the wholesale district Franklin came early today with White, a personal acquaintance, to meet by appointment, G. N. Lockwood, whose name was drawn on the venire of fifty, the percentage of which was announced last Saturday. Lockwood had not yet received his subpoena but information that he had been drawn for jury service is alleged to have been transmitted to him by Franklin and White. When the three men gathered an unidentified individual who had the appearance of a day laborer was slinking against a nearby telephone pole. He looked away from the group but listened intently. In a nearby store stood Samuel L. Brown, chief of the state's department of investigation, his eyes fixed on the men at the corner.

The conversation among the three men will be revealed in court, according to District Attorney Fredericks, but it was asserted that in attempting to induce Lockwood to vote "yes" against McNamara, Franklin boasted that he already had secured two of the permanently sworn jurors. This alleged assertion even the district attorney does not regard

GOVERNORS SEEK TO ACQUAINT THE EAST WITH THE WEST

Executives on Tour of Cities Where They Will Preach the Old Time Sermon of Horace Greeley Fame.

FIRST STOP MADE TODAY IN CHICAGO

(By Evening Herald A. P. Leased Wire) Chicago, Nov. 23.—On their mission "to make the people of the east as well acquainted with the west as they are with Europe," as Governor J. H. Hawley of Idaho put it, seven western governors arrived here today on the first leg of a 4,000 mile trip which in three weeks in a special train is to carry them to twenty-one eastern cities.

"It is a campaign of education," said Governor Hawley. "We have with us five carloads of the products of ten states, with thirty-five instructors, and we are determined to take our university on wheels through the east in an effort to arouse among eastern people as much interest in the west as they now have in Europe."

Swinging in from St. Paul and Minneapolis on the tail end of a northwestern blizzard, the governors, including Oswald West of Oregon, James H. Hawley of Idaho, H. S. Venable of South Dakota, A. H. Eberhart of Minnesota, John Burke of North Dakota, E. L. Norris of Montana and J. M. Carey of Wyoming, were housed under one roof and were met by Governor Denson of Illinois.

It was pointed out that the governors represented one-tenth of the population and almost one-third of the area of the country.

T. L. Oddie of Nevada telegraphed he was on his way. Colorado was represented by Lieutenant Governor Fitzgerald and Washington by J. E. Barnes.

SANTA FE FREEZES IN COLDEST DAY IN YEARS

Temperature Dropped to Three Degrees Below Zero and This Holds Record for Nearly Forty Years.

(By Evening Herald A. P. Leased Wire) Santa Fe, N. M., Nov. 23.—The coldest November day since November 17, 1880, was recorded today by the weather bureau when at 7 o'clock this morning the temperature at Santa Fe and at Las Vegas had dropped to three degrees below zero. Only three before in the past forty years, according to official weather bureau records, has Santa Fe experienced zero weather in November.

TRAIN CREW SAVES KANSAS TOWN

Flames Threatened to Wipe Out Elbing But Engineer, Fireman, Brakeman and Conductor Rally Nobly to the Rescue.

(By Evening Herald A. P. Leased Wire) Elbing, Kan., Nov. 23.—Only the aid of the passengers and crew of a Chicago, Rock Island & Pacific train saved this town from almost total destruction by fire today. The train was held fifteen minutes while those aboard joined the local volunteer bucket brigade. The flames were stopped after they had consumed six business buildings and the train went on its way.

(By Evening Herald A. P. Leased Wire) Tripoli, Nov. 23.—The Italian military authorities announce that the casualties among the Italian forces engaged in the battle at Fort Mesri and Hama on November 26, when the Italians attacked and forced the Arabs and Turks to retire with a loss of more than 500 men and 300 prisoners, totaled 120, of whom 16 were killed.

(By Evening Herald A. P. Leased Wire) Glasgow, Kan., Nov. 23.—Driven before a high wind, fire of unknown origin swept this city today, causing damage estimated at \$200,000. Practically the entire business district was destroyed. Lack of water facilities left the townspeople powerless to fight the flames.

(By Evening Herald A. P. Leased Wire) Atlanta, Ga., Nov. 23.—The condition of Charles W. Morse, the New York banker, now serving a term in the federal prison here, is reported worse today. It is said the banker's physical condition is such that he will not be removed to Fort McPherson until after a consultation of physicians.

MANCHU DYNASTY MAKES AN EFFORT TO SAVE RUINS OF NANKING

Imperial General Telegraphs That He Has Occupied Han Yang and Leaders of Revolution Want Compromise.

FONG KWO CHANG IS HERO OF THE HOUR

Merchants Jubilant Over Successes and the Prospects That There Will Be Early Resumption of Business.

(By Evening Herald A. P. Leased Wire) Peking, Nov. 23.—Lieutenant General Fong Kwo Chang, commander of the imperial troops at Hankow, telegraphed today that he occupied the whole of the city of Han Yang yesterday afternoon.

He Chang capitulated to the imperial troops today, the revolutionary leaders expressing a desire to negotiate for a compromise and suggesting some slight alterations in the government program.

The government is endeavoring to secure an immediate cessation of hostilities at Nanking, where the fall of the city is imminent.

There is much jubilation in official circles over the sudden success of Lieutenant General Fong Kwo Chang. The merchants are overjoyed at the prospect of a resumption of business and the re-establishment of order with the removal of the terrible menace to the lives of foreigners in the interior of the country.

(By Evening Herald A. P. Leased Wire) Shanghai, Nov. 23.—Near Admiral Murdock, U. S. N., is sending a company of marines from here to Peking on board the United States cruiser Saratoga.

(By Evening Herald A. P. Leased Wire) Hong Kong, Nov. 23.—The West river is still regarded as a menace for mercantile and passenger traffic because of the continued presence of pirates who frequently attack vessels passing along the river.

AMERICAN CHILDREN KILLED IN BATTLE

Washington, Nov. 23.—According to today's cable advices from American Minister Calhoun at Peking the Chinese finances are in a deplorable condition with but 2 million taels in the treasury; no incoming revenue and the government without credit.

Mr. Calhoun confirms the first stories of the killing of missionaries at Hsien Fu, the capital of Shensi. The minister adds the name of Mr. Vayne to the list of Americans killed. In addition to Mrs. Beckman, American, and Mr. Vayne, one British and one German, and five European children, were slain.

STUDENTS IN SPAIN ARE ON A STRIKE

(By Evening Herald A. P. Leased Wire) Madrid, Nov. 23.—The students of the colleges and higher schools in order to express their disapproval of the government's repression of a proposed demonstration of medical students at Barcelona, have proclaimed a "general strike" throughout Spain.

SLAYER OF HUSBAND IS HELD GUILTYLESS

(By Evening Herald A. P. Leased Wire) New York, Nov. 23.—Mrs. Francis O'Shaughnessy, who shot her husband "to save his soul," today was acquitted on a charge of murder by the jury after it had deliberated two hours.

The defense was a combination of insanity and the "unwritten law."

(By Evening Herald A. P. Leased Wire) St. Louis, Mo., Nov. 23.—With his crutches leaned to his machine, Horace L. Kearney, in a biplane, flew from Kibbich aviation field to Sportsman park, two miles east of Alton, Ill., about fifteen miles, in fifteen minutes this afternoon. Kearney has asked for a three day armistice in which an attempt will be made to secure the consent of the other provinces to the acceptance of

the imperial government's terms, including the preservation of the Manchu dynasty. The government has received reports announcing that the fighting preceding the capture of the city of Han Yang lasted seventy consecutive hours. The carnage was heavy.

The government has asked the American Presbyterian missionary, Dr. Charles Lewis, at Pao Ling Fu, to improvise hospitals for the wounded who are being brought in. The missionary union medical college at Peking is curtailing its classes in order to permit several British doctors and their Chinese assistants to go south.

The government troops demand the surrender of the Shan Si rebels.

PRESIDENT TAFT AND HIS CABINET TALK OVER MESSAGE

Heads of Republican Party Become So Animated Over Forthcoming Document That They Miss Luncheon.

RUMORS HAVE IT THEY DO NOT AGREE

(By Evening Herald A. P. Leased Wire) Washington, Nov. 23.—That President Taft's annual message, which goes to congress next week, is regarded by his cabinet as most important was indicated today by the long consideration given to it and the number of revisions understood this afternoon to have been made or proposed. The cabinet met at 11 o'clock and with only one interruption of a few minutes sat through the usual luncheon hour and was still in session late this afternoon.

Rumors of disagreement over parts of the message were not confirmed at the White House.

STATE BUILDING AT EXPOSITION IS WHAT HE WANTS

Director D. C. Collier of Panama American Show to Spend Several Days With Legislature in Interest of Scheme.

That he would shortly return from the east, and would spend several days with the legislature at Santa Fe in an effort to get them to appropriate sufficient money for a state building at the big exhibit, was the statement made last night by D. C. Collier, director of the Panama-American exposition. Mr. Collier was on his way to Washington to work for a large appropriation from congress for the exposition. After spending the necessary time there he will return to New Mexico and spend several days with the first state legislative body, afterward going to Phoenix to appear before the Arizona legislature.

(By Evening Herald A. P. Leased Wire) Havana, Nov. 23.—Major General Loynas del Castillo, ex-minister of Mexico, and former commander in the insurgent army, made an attempt today to kill George M. Hoad, an American proprietor of the Havana Post. The attempt was the outcome of strictures on the Veterans' association which appeared in the Spanish edition of the Post.

DESPONDENT MAN WOUNDS CLERK

(By Evening Herald A. P. Leased Wire) Denver, Nov. 23.—When C. S. Yonley, night clerk of the Northern hotel, early today declined to throw up his hands and turn the contents of the safe over to George Yant, who gives his home as Omaha, the latter shot the clerk through the lungs, inflicting a probably fatal wound. Yant told the police that his act was inspired by lack of money and failure to secure employment.

"GOD BE WITH YOU 'TILL WE MEET AGAIN" SAYS BEATTIE

Letter to Minister Is Made Public Containing Pitiful and Touching Statement from Young Man.

WIFE AND LITTLE GIRLS SANG FOR HIM

(By Evening Herald A. P. Leased Wire) Richmond, Va., Nov. 23.—W. H. Gates of this city, who took a deep interest in Henry Clay Beattie, Jr., while in prison, today made public a letter from Beattie, the envelope of which was postmarked 2 a. m. the morning of the electrocution of the young wife-murderer. The letter follows:

"Dear Mr. Gates—I am unable to think of you that will fully express my appreciation of the interest which you seemed to take in trying to prepare me for the great beyond; though I can assure you that your efforts were not all in vain. So many things in the bible you explained to me which I never understood before. I only hope and pray that you will be able to enlighten others, so that they may be prepared. If I were free I would ask for no greater joy than to bring others to God."

"One night I will never forget and that was the occasion when your wife and dear little girls sang for me. Give my love to them and remember that I am praying for you all, that 'God be with you till we meet again.' Farewell."

"HENRY BEATTIE, JR."

ITALIAN WIPES OUT WHOLE FAMILY

New York Shop Keeper Who Had Been Away from Home Returns and Kills Wife, Children and Himself.

(By Evening Herald A. P. Leased Wire) New York, Nov. 23.—Ignazio Pispina, an Italian storekeeper, killed his wife, his mother, his sister and his two children, then shot himself to death in the room back of his store at 101, N. Y. today.

Pispina had quarreled with his family and had been away for a week. He returned today and went to the store. A customer who entered soon afterward, found the six corpses. The man used a revolver and each cartridge counted for a life.

Pispina's corpse lay nearest the door. Between him and the living room at the back lay the body of his wife. In the next room were the other two women and in the bedroom the two children, aged four and six.

HAVANA EDITOR IS MADE TARGET

But Before General Castillo Could Fire, He Was Disarmed and Placed Under Arrest.

(By Evening Herald A. P. Leased Wire) Havana, Nov. 23.—Major General Loynas del Castillo, ex-minister of Mexico, and former commander in the insurgent army, made an attempt today to kill George M. Hoad, an American proprietor of the Havana Post. The attempt was the outcome of strictures on the Veterans' association which appeared in the Spanish edition of the Post.

The general was disarmed as he leveled his pistol and before he could fire, Chief of Police Aguirre ordered his arrest.

DESPODENT MAN WOUNDS CLERK

First of Early Winter Hold-Ups Takes Place in Denver Where Faithful Employee Is Shot Through the Lungs.

(By Evening Herald A. P. Leased Wire) Denver, Nov. 23.—When C. S. Yonley, night clerk of the Northern hotel, early today declined to throw up his hands and turn the contents of the safe over to George Yant, who gives his home as Omaha, the latter shot the clerk through the lungs, inflicting a probably fatal wound. Yant told the police that his act was inspired by lack of money and failure to secure employment.

KIPLING'S FAMOUS VERSE FIGURES IN THE SPEECH OF PROSECUTOR

Mrs. Patterson Is Referred to as a Rag, a Bone and a Hank of Hair by Attorney for the State.

JURY IS GIVEN EXPLICIT ORDERS

Judge Words His Instructions in Simplest Language Possible in Order Men May Distinguish Between Degrees.

"A fool there was, and he made his prayer,
(Given as you and I)
To a rag, a bone and a hank
Of hair—
We called her the woman who
Did not care;
But the fool he called her his
Lady fair—and she shot him in
The back."

(By Evening Herald A. P. Leased Wire) Denver, Nov. 23.—It is regarded as probable that the fate of Gertrude Gibson Patterson, charged with the murder of her husband, Charles A. Patterson in this city on September 26, will be in the hands of the jury tonight.

The last witness was heard this afternoon, Judge Allen instructed the jury and Special Prosecutor Horace G. Benson began his closing argument for the state.

In his instructions Judge Allen for the benefit of the twelve men who never before had sat as jurors in a murder case, was particularly explicit. In the simplest language possible he gave an exposition of the laws defining murder in the first and second degrees, and voluntary and involuntary manslaughter.

During the reading of the instructions Mrs. Patterson's face was waxen in its pallor. This appearance deepened as prosecutor Benson laying stress on every bit of testimony which he believed told against the defendant, in measured tones addressed the jury.

"A fool there was and he made his prayer,
(Given as you and I)
To a rag and a bone and a hank of hair—
We called her the woman who did not care.
But the fool he called her his lady fair—and she shot him in the back."

This was the way Attorney Benson opened his address.

The prosecutor then took up the early life of the defendant in an attempt to convince the jury that it was no unsophisticated 14-year-old child but an experienced woman who won the devotion of Emil W. Strauss in Chicago. Benson declared that the evidence shows that Gertrude Gibson was twenty-one or twenty years of age when she met the Chicago clothing manufacturer, and five or six years older than Charles A. Patterson whom she shot three years later.

"Hoe Hriscoe, the saloon keeper was Mrs. Patterson's first and Mr. Strauss her second, so far as I have been able to discover," Attorney Benson was continuing when Attorney Hinton jumping to his feet objected and the court ordered the jury to disregard this portion of the prosecutor's argument.

DYING MAN ASSUMES BLAME FOR CRIME

Special Officer at Laramie in Last Statement Tells Officers That His Slayer Acted in Self Defense.

(By Evening Herald A. P. Leased Wire) Laramie, Wyo., Nov. 23.—Herbert Baker, who was shot late yesterday afternoon by C. E. Horton in the Union Pacific yards, here died at 12:15 this afternoon. Both men were special policemen in the employ of the Union Pacific and quarreled over a trivial matter. Horton in his last, having been assaulted by Baker with a pistol. The shooting occurred while Horton was lying on his back, having been knocked down by Baker.

Baker made an ante-mortem statement declaring that he was at fault and that Horton was not to blame for defending himself.

AMERICAN CARDINALS HOLD A RECEPTION

(By Evening Herald A. P. Leased Wire) Rome, Nov. 23.—The newly created American cardinal, Cardinal Patrick Joseph Leahy, arrived in Rome today and was received by the pope at the Vatican. Leahy is the first American cardinal to be created since the death of Cardinal Patrick Joseph Leahy in 1904.